

HEATHER E. WILLIAMS, Bar #122664
Federal Defender
GRIFFIN ESTES, CA Bar # 322095
Assistant Federal Defender
Designated Counsel for Service
2300 Tulare Street, Suite 330
Fresno, CA 93721-2226
Telephone: (559) 487-5561
Fax: (559) 487-5950

Attorneys for Defendant
GENARO FRAGUA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GENARO FRAGUA

Defendant.

Case No. 1:23-cr-00120-JLT-SKO

**STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE**

Date: March 20, 2024

Time: 1:00 p.m.

Judge: Hon. Sheila K. Oberto

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel, Assistant United States Attorney Stephanie M. Stokman, counsel for plaintiff, and Assistant Federal Defender Griffin Estes, counsel for GENARO FRAGUA, that the Court may continue the status conference in this case. The parties stipulate to continue the status conference from March 20, 2024, to July 17, 2024.

The parties stipulate as follows:

1. By previous order, this matter was set for status on March 20, 2024.

2. By this stipulation, defendant now moves to continue the status conference until March 20, 2024, and to exclude time between March 20, 2024, and July 17, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

1 3. The parties agree and stipulate, and request that the Court find the following:

2 a) The government has represented that the discovery associated with this case includes
3 reports, photographs, and audio files. All of this discovery has been either produced directly to
4 counsel and/or made available for inspection and copying, or is in the process of being produced.
5 The government has made an offer to resolve this case.

6 b) Counsel for defendant desires additional time to review discovery, conduct any
7 investigation, and discuss this matter, including potential resolutions, with the defendant in order
8 to prepare for trial. Moreover, counsel for the defendant requires additional time to discuss
9 resolution with his client.

10 c) Counsel for defendant believes that failure to grant the above-requested continuance
11 would deny him/her the reasonable time necessary for effective preparation, taking into account
12 the exercise of due diligence.

13 d) The government does not object to the continuance.

14 e) Based on the above-stated findings, the ends of justice served by continuing the case as
15 requested outweigh the interest of the public and the defendant in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et
18 seq., within which trial must commence, the time period of March 20, 2024 to July 17,
19 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv)
20 [Local Code T4] because it results from a continuance granted by the Court at
21 defendants' request on the basis of the Court's finding that the ends of justice served by
22 taking such action outweigh the best interest of the public and the defendants in a speedy
23 trial.

24 g) The parties also agree that this continuance is necessary for several reasons, including
25 but not limited to, the need to permit time for the parties to exchange supplemental
26 discovery, engage in plea negotiations, and for the defense to continue its investigation
27 and preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).
28

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Dated: March 8, 2024

/s/ Stephanie Stokman
STEPHANIE STOKMAN
Assistant United States Attorney
Attorney for Plaintiff

Dated: March 8, 2024

HEATHER E. WILLIAMS
Federal Defender

/s/ Griffin Estes
GRIFFIN ESTES
Assistant Federal Defender
Attorney for Defendant
GENARO FRAGUA

ORDER

IT IS SO ORDERED.

DATED: 3/8/2024

Sheila K. Oberto
Hon. Sheila K. Oberto
United States Magistrate Judge